

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA**

**Alexandria Division**

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UNITED STATES OF AMERICA	
-v-	
KIM DOTCOM, ET AL.,	Case No. 1:12-CR-3
Defendants	

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**ORDER**

Before the Court is a Renewed Motion for Protective Order filed by QTS Realty Trust, Inc. ("QTS"). (Dkt. No. 217). The Court directs the parties to submit answers to the following questions of the Court:

1. Does counsel for Megaupload Limited ("Megaupload") still request receipt of the seized data stored on the hard drives of the computer servers owned by QTS (successor-in-interest to Carpathia Hosting, Inc.)?
2. Do QTS and/or Carpathia Hosting, Inc. believe the data is recoverable given the time that has passed and the condition in which the servers have been stored?
3. If the data is transferred to counsel for Megauload, how would counsel preserve the data?
4. If the data is transferred to counsel for Megaupload, how would counsel protect the confidentiality of its contents and prevent its release or transfer to third parties?
5. Is it the position of the United States that it has no interest in possessing or

preserving the data stored on the hard drives of the QTS computer servers?

6. How much money, if any, is Megaupload willing to pay to obtain the computer servers from QTS?
7. Do the members of the Motion Picture Association of America remain concerned about the potential release of copyrighted works and/or the potential financial harm from such a release? If so, what value do they place on the copyrighted material (taking into account the passage of three years)?
8. To all parties, what are the costs associated with activating the computer servers, searching for the data of innocent third parties, and retrieving and returning the same?
9. How do the parties propose to notify innocent third parties that the servers are available to be searched and their data retrieved?

Accordingly, it is hereby **ORDERED** that:

1. All parties may submit responses to every question, but a party must submit an answer to any question(s) that the Court has directed specifically to that party.
2. Counsel for Megaupload is granted leave to enter a limited and special appearance for the purpose of filing a response to this Order.
3. All responses must be received within fourteen (14) days of the date of this Order.

October 20 2015  
Alexandria, Virginia

/s/ *L.O.G.*  
Liam O'Grady  
United States District Judge